

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*,¹

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

Ref. Nos. 2240, 2504

**NOTICE OF SECOND AMENDED AND RESTATED
INVESTMENT SERVICES AGREEMENT**

PLEASE TAKE NOTICE that on August 24, 2023, FTX Trading Ltd. (“FTX Trading”) and its affiliated debtors and debtors-in-possession (collectively, the “Debtors”) filed the *Debtors’ Motion for an Order Authorizing FTX Trading Ltd. to Enter Into, and Perform Its Obligations Under, the Investment Services Agreement* [D.I. 2240] (the “IMA Motion”) seeking entry of an order, among other things, authorizing FTX Trading to enter into, and perform its obligations under, the Investment Services Agreement (the “IMA”) with Galaxy Digital Capital Management LP (“Galaxy”), dated August 23, 2023.

PLEASE TAKE FURTHER NOTICE that on September 13, 2023, the Court entered the *Order Authorizing FTX Trading Ltd. to Enter Into, and Perform Its Obligations Under, the Investment Services Agreement* [D.I. 2504] (the “IMA Order”)² approving the IMA Motion.

PLEASE TAKE FURTHER NOTICE that this notice (the “Notice”) is being provided in accordance with paragraph 4 of the IMA Order.

PLEASE TAKE FURTHER NOTICE that on November 3, 2023, concurrent with the filing of this Notice, the Debtors filed the *Debtors’ Motion for Entry of an Order Authorizing and Approving (I) Procedures for the Sale or Transfer of the Trust Assets and (II) the Sale or Transfer of Such Trust Assets in Accordance With Such Procedures Free and Clear of Any Liens, Claims, Interests and Encumbrances* (the “Trust Motion”) seeking entry of an order, among other things, authorizing the Debtors to sell the Trust Assets (as defined below) pursuant to the proposed sales procedures.

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063 respectively. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>. The principal place of business of Debtor Emergent Fidelity Technologies Ltd is Unit 3B, Bryson’s Commercial Complex, Friars Hill Road, St. John’s, Antigua and Barbuda.

² All capitalized terms used but otherwise not defined herein shall have the meanings set forth in the IMA Order.

PLEASE TAKE FURTHER NOTICE that on November 3, 2023, FTX Trading and Galaxy executed the Second Amended and Restated Investment Services Agreement (the “A&R IMA”), pursuant to which, among other things, the parties agreed that Galaxy will manage certain securities owned by the Debtors (the “Trust Assets”) in exchange for 1.00% of the aggregate market value of the Trust Assets per annum on the date the Trust Motion is approved. The A&R IMA is attached hereto as Exhibit A.

PLEASE TAKE FURTHER NOTICE that in accordance with paragraph 4 of the IMA Order, responses or objections (the “Objections”), if any, to FTX Trading’s entry into, and performance of its obligations under, the A&R IMA must be filed electronically with the Court on the docket of *In re FTX Trading, LTD., et al.*, Case No. 22-11068 (JTD) in accordance with Local Rule 5005-4, and must (a) be in writing and specify the nature of such objection; (b) state, with specificity, the legal and factual bases thereof; (c) comply with the Bankruptcy Code, Bankruptcy Rules, Local Rules and the IMA Order and (d) be filed with the Court and served (which service can be by email) on (x) counsel to the Debtors, (1) Sullivan & Cromwell LLP, 125 Broad Street, New York, New York 10004, Attn: Andrew G. Dietderich (dietdericha@sullcrom.com) and Alexa J. Kranzley (kranzleya@sullcrom.com) (2) Landis Rath & Cobb LLP, 919 N. Market St., Suite 1800, Wilmington, Delaware 19801, Attn: Adam G. Landis (landis@lrclaw.com) and Kimberly A. Brown (brown@lrclaw.com), **by 4:00 p.m. (prevailing Eastern Time) on November 13, 2023** (the “Objection Deadline”).

PLEASE TAKE FURTHER NOTICE that only those Objections that are timely filed, served and received will be considered. **Absent order of the Court to the contrary, any party failing to timely file and serve an Objection on or before the Objection Deadline shall be forever barred from asserting any objection to FTX Trading’s entry into, and performance of its obligations under, the A&R IMA.**

PLEASE TAKE FURTHER NOTICE that this Notice is subject to the full terms and conditions of the A&R IMA, IMA Motion, the IMA Order and the Trust Motion, and all parties are encouraged to review such documents in their entirety.

Dated: November 3, 2023
Wilmington, Delaware

LANDIS RATH & COBB LLP

/s/ Matthew R. Pierce

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